

07-03-08

10/20/08



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Santhouse  
Application No.: 10/510,431  
For: AN ION GENERATING DEVICE  
Filed: July 7, 2005  
Examiner: Kenneth Rinehart  
Art Unit: 3749  
Confirmation No.: 8530  
Customer No.: 27,623  
Attorney Docket: 884.0158USU

Mail Stop Petitions  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attention: Office of Petitions

**PETITION FOR REVIVAL OF PATENT APPLICATION  
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Dear Sir:

The above-identified application became abandoned for failure to timely file the **Response** to the **Office Action** mailed on **September 4, 2007** which sets a **three (3)** month period for reply. The abandonment date of this application is **March 4, 2008**, and Applicant received a Notice of Abandonment with a mailing date of May 6, 2008.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION  
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

NOTE: A grantable petition requires the following items:  
(1) Petition fee;  
(2) Reply and/or Issue Fee;

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- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

\_\_\_ Small entity - fee \$770.00 (37 CFR §1.17(m))  
    \_\_\_ Small entity statement enclosed herewith.  
    \_\_\_ Small entity statement previously filed.  
  
X Other than small entity - fee \$1,540.00 (37 C.F.R. §1.17(m))

2. Reply and/or Fee

A. The reply to the above-noted Office Action in the form of an Amendment (identify type of reply):

    \_\_\_ has been filed previously on \_\_\_\_\_.  
    XX are enclosed herewith.

B. Charging to Deposit Account defined below the amount of \$1,540.00 to cover the following fees:

- (1) \$ \_\_\_\_\_ Issue Fee
- (2) \$ \_\_\_\_\_ for 10 advance copies of the patent; extension fee
- (3) \$ 1,540.00 petition fee.

    \_\_\_ has been paid previously on \_\_\_\_\_.  
    XXX is authorized below.

3. Terminal disclaimer with disclaimer fee

☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) equivalent to the number of months from abandonment to the filing of this petition is enclosed herewith.

4. Verified Statement

Applicant hereby states that the entire delay in the filing of a Response until the filing of this petition under 37 CFR 1.137(b) was unintentional.

Applicant hereby declares that all statements made herewith of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under section 1001 of Title 18 of the United States Code and that such willful false statement may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

**XXX** Please charge the fee of **\$1,540.00** and any additional fees or credit any such fees, if necessary to Deposit Account No. **50-1239** in the name of **Conair Corporation**. Any deficiency in fees should be charged to Deposit Account No. 01-0467 in the name of Ohlandt, Greeley, Ruggiero & Perle. A duplicate copy of this sheet is attached.

July 2, 2008

Date



Charles N.J. Ruggiero  
Attorney for Applicant(s)

Registration No. 28,468

Ohlandt, Greeley, Ruggiero & Perle, L.L.P.  
One Landmark Square, 10th Floor  
Stamford, Connecticut 06901-2682

Telephone: (203) 327-4500

Telefax: (203) 327-6401

#### CERTIFICATE OF EXPRESS MAILING

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Certificate No. **EM021536474US**, service under 37 CFR §1.10 and is addressed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Attention: Office of Petitions on July 2, 2008.

Joanne A. Romaniello

(Typed name of person mailing paper)



(Signature of person mailing paper)



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Joanne A. Romaniello

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**PETITION TO REVIVE PATENT APPLICATION  
UNINTENTIONALLY ABANDONED UNDER 37 CFR 1.137**

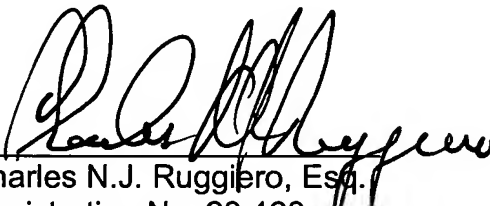
Dear Sir:

Applicants respectfully submit the following petition to revive abandoned U.S. Patent Application Serial No. 10/510,431. A Notice of Abandonment was mailed on May 6, 2008 for failure to timely file a proper reply to the Office letter mailed on September 4, 2007. Applicants respectfully submit that the entire delay in filing the required reply, from the due date for the reply until the filing of the present petition pursuant to 37 CFR 1.137(b), was unintentional.

An Amendment in response to the Office letter mailed on September 4, 2007 is attached herein. The appropriate fee set forth in §1.17(m) for filing this petition is also attached.

Respectfully submitted,

Dated: July 2, 2008



Charles N.J. Ruggiero, Esq.  
Registration No. 28,468  
Attorney for Applicants  
Ohlandt, Greeley, Ruggiero & Perle, L.L.P.  
One Landmark Square, 10<sup>th</sup> floor  
Stamford, CT 06901-2682  
Tel: (203) 327-4500  
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**COMMISSIONER FOR PATENTS**  
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Dear Sir:

**AMENDMENT TRANSMITTAL**

We are enclosing an Amendment along with Fig. 1A and our Petition in response to the communication dated September 4, 2007 in the above-identified application.

Petition for extension of time pursuant to 37 C.F.R. §§ 1.136 and 1.137 is hereby made if, and to the extent, required. The fee for this extension of time is calculated to be \$\_\_\_\_\_ to extend the time for filing this response until \_\_\_\_\_.

The fee for any change in number of claims has been calculated as shown below.

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest Number Previously Paid	Present Extra	Rate	
Total Claims	33	Minus	34	0	x \$50.00	\$
Independent Claims	2	Minus	3	0	x \$210.00	\$
MULTIPLE DEPENDENT CLAIM FEE				x \$370.00 = \$		
TOTAL FEE FOR CLAIM CHANGES				\$0		
1/2 FILING FEE FOR SMALL ENTITY				\$N/A		

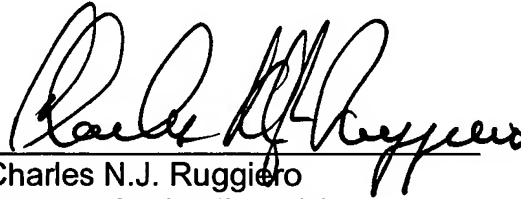
The total fee for this amendment, including claim changes and any extension of time is calculated to be \$ 0 .

     A check in the amount of \$ 0 is attached.

X The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§1.16 and 1.17 which may be required with this communication or during the entire pendency of the application, or credit any overpayment, to **Deposit Account No. 50-1239**. Any deficiency in fees should be charged to Deposit Account No. 01-0467 in the name of Ohlandt, Greeley, Ruggiero & Perle. A duplicate copy of this Form is enclosed.

July 2, 2008

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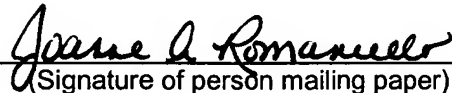
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TOTAL FEE FOR CLAIM CHANGES				\$0		
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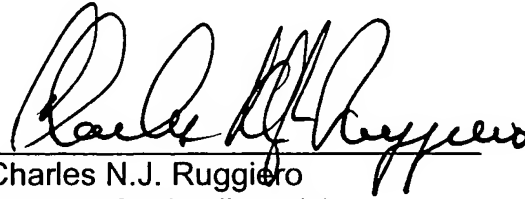
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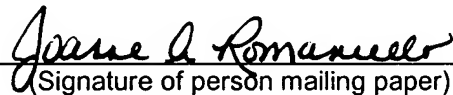
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